

So Ordered.

Dated: January 14th, 2016



Frederick P. Corbit
Frederick P. Corbit
Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:

MT MOORE, L.L.C.,

Debtor.

Case No. 15-01801-FPC11

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

This matter having come before the above-entitled Court for confirmation, which confirmation was held by telephone conference on this 14th day of January, 2016, and the Court having read the declaration of Christopher Moore, Debtor's Managing Member, and having reviewed the Plan and Disclosure Statement and the files and records herein, and having heard the arguments of counsel, makes the following

FINDINGS OF FACT AND CONCLUSIONS OF LAW

I.

The Debtor filed the above-captioned Chapter 11 proceeding on the 19th day of May, 2015. Debtor filed its Motion for Order Granting Conditional Approval of Disclosure Statement and Notice Thereof on November 16, 2015.

II.

The above entitled Court conducted a hearing on the Motion for Order Granting Conditional Approval of Disclosure Statement on December 2, 2015. The Order granting conditional approval of the disclosure statement and setting deadlines was entered on December 4, 2015.

FINDINGS OF FACT AND
CONCLUSIONS OF LAW - 1

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1 III.

2 The Disclosure Statement and Plan were filed on December 3, 2015, at ECF
3 numbers 76 and 77. Pursuant to the Order Granting Motion, the Debtor transmitted
4 the combined Disclosure Statement and Plan of Reorganization, Lists Classifying
Claims and Interest and Ballot to all parties on the master mailing list on December 3,
2015. There have been no objections to the Disclosure Statement or Plan.

5 IV.

6 The Plan contains no unusual classifications of claims or interests. Similar
7 claims are classified together and are treated equally within each class. The Plan
provides for the same treatment for each claim or interest within a particular class.

8 V.

9 Debtor did not solicit acceptances or rejections of the Plan, except as authorized
10 by the Order.

11 VI.

12 The Plan has been proposed in good faith and not by any means forbidden by
law.

13 VII.

14 Class 2, a major secured lender of the Ventura County, California property,
15 voted for the Plan. One hundred percent of the unsecured creditors in Class 5 voted
for the Plan.

16 VII.

17 Debtor's attorney, Hames, Anderson, Whitlow and O'Leary, P.S., and debtor's
18 accountant, Sandra Gamble at Northwest CPA Group, will only be compensated
subject to Court approval after a notice and hearing.

19 VII

20 Debtor will continue to solicit sales for the real estate which is consistent with the
21 best interests of creditors, equity security holders and public policy.

22 VIII.

23 Upon sale of the Ventura County, California property, it appears unsecured
creditors will be paid in full.

24 ///

25 ///

FINDINGS OF FACT AND
CONCLUSIONS OF LAW - 2

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IX.

A liquidation analysis indicates creditors will receive a greater distribution under the Plan than would be received if the assets were sold at foreclosure sale.

X.

Confirmation of the Plan is not likely to be followed by the need for further financial reorganization of Debtor.

XI.

The Plan provides for payment of the administrative claims upon the date of confirmation or upon allowance by the Court.

XII.

The Plan provides for payment of all US Trustee's fees, when due, through the closing of the case.

XIII.

Debtor's Plan complies with the provisions of Chapter 11 and other applicable provisions of Title 28 USC.

XIV.

The holder of each secured claim has accepted the Plan or will receive full payment of its secured claim and will retain its lien until such payment has been made.

XV.

The Plan has been proposed in good faith and not by any means forbidden by law.

XVI.

The Disclosure Statement should be approved and the Plan of Reorganization confirmed.

/// END ///

Presented by:
HAMES, ANDERSON, WHITLOW & O'LEARY, PS

By /s/ William L. Hames
William L. Hames, WSBA #12193

FINDINGS OF FACT AND
CONCLUSIONS OF LAW - 3

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